

POSTED
0012-16-01

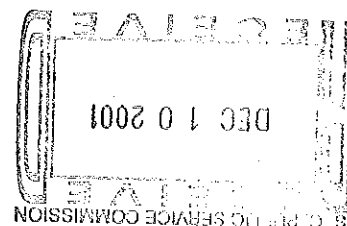
BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 2001-411-E

IN RE: Greenville County Power, LLC)
Application for a Certificate of)
Environmental Compatibility)
and Public Convenience)
and Necessity)
)
)
)



PREFILED TESTIMONY OF MARION SADLER, DHEC BUREAU OF WATER

Q. Please state your name and address for the record.

A. Marion F. Sadler, Jr., Columbia, SC.

Q. By whom are you employed?

A. By the South Carolina Department of Health and Environmental Control.

Q. How long have you been employed by DHEC?

A. Over thirty years.

Q. What is your position at DHEC?

A. Director, Industrial, Agricultural and Stormwater Permitting Division, Bureau of Water.

Q. Please describe your responsibilities.

A. I direct the day to day activities of permit engineers who evaluate applications and write permits for National Pollutant Discharge Elimination System (NPDES) permits, stormwater permits, and wastewater construction permits.

Q. What education have you received?

OK DJ 12-7-01
OK DJ
1

- A. Bachelor's degree in mechanical engineering and a Master's degrees in environmental engineering.
- Q. Are you familiar with the proposal by Greenville County Power, LLC, for a gas-fired electric generating facility to be constructed near Greenville, SC?
- A. Yes.
- Q. What is your responsibility with regard to the NPDES Permit and the Permit to Construct?
- A. An engineer on my staff will be drafting the permits.
- Q. How many permits have you written or overseen?
- A. Approximately 150 in the past year, and hundreds during the course of my career.
- Q. What regulations and statutes are applicable to this project?
- A. The South Carolina Pollution Control Act, the Federal Clean Water Act and Amendments, Regulation 61-9, Water Pollution Control Permits, Regulation.61-67, Construction Permits, and Regulation 61-68, Water Quality Standards.
- Q. What statutes and regulations apply to permitting of the proposed generating station?
- A. Any discharge to surface waters will require an NPDES permit. This could include sanitary discharges and process wastewaters such as cooling water.
- Q. What are the applicable permitting requirements?
- A. Discharges to surface waters must comply with State water quality standards found in Regulation 61-68. Regulation 61-9 defines the procedural steps for drafting and issuing permits, and specifies mandatory permit conditions. For wastewater discharges, a facility must receive a finally effective NPDES permit before it can receive a permit to construct. This may be applicable to this project.
- Q. What is the procedure for issuing an NPDES permit?
- A. Applications for NPDES permits go through several phases: preliminary review; public comment; and the permit decision.
- Q. What is involved in the preliminary review?

- A. First, the engineer assigned to the project verifies that the permit application is complete. After the permit is deemed complete, the engineer identifies the pollutants of concern in the proposed discharge and determines appropriate limitations for each pollutant. If the engineer concludes that the proposed activity can be conducted in accordance with applicable regulations, a draft permit is prepared using state and Federal regulations as a basis.
- Q. Where is this application in the process?
- A. The application is administratively complete, but the engineer's review is not complete.
- Q. Please describe the public notice and comment process.
- A. Once a draft permit has been prepared, it is put on public notice to allow for public participation. For some applications, a public hearing may be conducted. We receive and review comments and at the conclusion of the comment period, change the draft permit as necessary to address issues raised by the comments.
- Q. Has the public comment process begun for this application?
- A. No.
- Q. What comes after the public comment process?
- A. Providing no technical issues are brought up during the public comment period that would give cause for denying the permit, the project engineer would then recommend to me that the permit be issued.